

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2001-006342

04/06/2007

HON. GARY E. DONAHOE

CLERK OF THE COURT  
N. Kielblock  
Deputy

IN RE THE MARRIAGE OF  
CYNTHIA LEE THIMMESCH

TERI D MCCALL

AND

PETER ALLAN THIMMESCH

PETER ALLAN THIMMESCH  
11337 STONEHOUSE PLACE  
POTOMAC FALLS VA 20165

ELECTRONIC RECORD SERVICES  
MARY ANN LANZILOTTA  
4539 N 22ND ST  
STE 201  
PHOENIX AZ 85016

MINUTE ENTRY

Courtroom OCH 209

3:05 pm: This is the time set for the children's interviews with the Court. Present in the courtroom are Andrew Thimmesch and Judge Donahoe.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Judge Donahoe interviews Andrew Thimmesch.

3:38 pm: The interview with Andrew finishes and Rebecca Thimmesch enters the courtroom.

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Judge Donahoe interviews Rebecca Thimmesch.

4:07 pm. The interview concludes.

One of the children asked that his/her comments not be shared with the parents. The Court finds that it would be in the best interests of the children to seal the record of the interviews. The child did give the Court permission to share the interview with his/her counselor and the Court will do that. Accordingly,

**IT IS HEREBY ORDERED** pursuant to Rule 12, Arizona Rules of Family Court Procedure, sealing the record of the interviews held in this Division in this matter on April 6, 2007, not to be opened without further order of the Court.

**IT IS FURTHER ORDERED** that Mother file a response to Father's "Motion for Expedited Ruling for Extended Summer Access for 2007" no later than **April 23, 2007**.

**LATER:**

The Court would like to share with the parents a couple of the children's responses that would not break the request for confidence. When Andrew was asked what message he would like the Court to give to his parents, Andrew, without much hesitation, answered, "Tell them to stop fighting and listen to what we are saying." When Becca was asked how her parents get along, she answered, "Absolutely horribly; fighting and fighting."

Not only was the children's awareness of the level of conflict between their parents troubling, it also was obvious that Father had discussed in some detail his proposed summer vacation schedule with the children. The Court was advised that Father had discussed his proposed schedule in telephone conversations with the children prior to the Court interviewing the children. On January 2, 2007, this Court ordered, among other things, that:

**IT IS FURTHER ORDERED** that the parties shall not discuss parenting time scheduling with the children until the scheduling is finalized. The parties shall assure that the children do not overhear conversations or read e-mails dealing with scheduling of parenting time.

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Because Father has violated this Court's order by discussing his proposed summer schedule with the children before either the parties agreed on a schedule or this Court ruled on Father's motion to set the schedule,

**IT IS FURTHER ORDERED** setting a contempt hearing before this Court on **June 14, 2007 at 8:30 a.m.** at which Peter Thimmesch shall personally appear and show cause, if any he has, why this Court should not impose sanctions against him for violating the above order of the Court. Sanctions could include a monetary fine, jail, loss of parenting time or a combination of those. (Time limit: 30 minutes.)

**WARNING: FAILURE OF PETER THIMMESCH TO PERSONALLY  
APPEAR BEFORE THIS COURT WILL RESULT IN THE COURT  
ISSUING A WARRANT FOR HIS ARREST.**

**IT IS FURTHER ORDERED** signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/s/ GARY E. DONAHOE

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JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes.  
A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.